



BEST AVAILABLE COPY

PATENT
016303-0024300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jeffery J. Wheeler *et al.*

Application No.: 09/431,594

Filed: November 1, 1999

For: LIPID-NUCLEIC ACID
PARTICLES PREPARED VIA
HYDROPHOBIC LIPID-NUCLEIC
ACID COMPLEX INTERMEDIATE
AND USE FOR GENE TRANSFER

Customer No.: 20350

Confirmation No. 8936

Examiner: Jane J. Zara

Art Unit: 1635

Declaration of Ian MacLachlan, Ph.D.
Under 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Ian MacLachlan, Ph.D., state and declare as follows:

1. All statements herein made of my own knowledge are true, and statements made on information or belief are believed to be true and correct.
2. I hold a Ph.D. (1994) from the University of Alberta, and a Bachelor of Science degree (1988) from the University of Alberta. I am presently the Chief Scientific Officer for Protiva Biotherapeutics, Inc. (Burnaby, Canada).
3. My field of expertise is nucleic acid delivery and molecular gene therapy. I have authored twenty-five publications in the field of nucleic acid delivery technology, molecular gene therapy and molecular genetics, and I am a member of the American Society of Gene Therapy and the Science Council of British Columbia, Health Technology Committee.
4. Attached hereto as Exhibit A is a true copy of my *curriculum vitae* and a list of publications of which I am an author or co-author.

*Considered
93
6/8/05*



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 25 2002

TECH CENTER 1600/2900

In re application of:

Jeffery J. Wheeler, *et al.*

Application No.: 09/566,700

Filed: May 8, 2000

For: LIPID NUCLEIC-ACID
PARTICLES PREPARED VIA
HYDROPHOBIC LIPID-NUCLEIC
ACID COMPLEX INTERMEDIATE
AND USE FOR GENE TRANSFER

Examiner: J. Epps

Art Unit: 1635

*Declaration of Michael J. Hope, Ph.D.
Under 37 C.F.R. § 1.132*

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Michael J. Hope, Ph.D. state and declare as follows:

1. All statements herein made of my own knowledge are true, and statements made on information or belief are believed to be true and correct.

2. I am currently a Principal Scientist at Inex Pharmaceuticals Corporation (Burnaby, Canada), a biotechnology company whose primary focus is the development of cancer treatments that are based on its propriety drug delivery platform and that are more effective and have fewer side effects than conventional cancer treatments. I have been a Principal Scientist at Inex Pharmaceuticals Corporation since 1991. Prior to joining Inex Pharmaceuticals Corporation, I was a Vice-President of Research at Canadian Liposome Company (North Vancouver, Canada)

3. In addition, I am currently an Adjunct Professor in the Department of Medicine at the University of British Columbia (Vancouver, Canada). I have been a Professor, either an Adjunct Professor or an Assistant Professor, at the University of Columbia since 1989. I have been a Professor in both the Department of Medicine and the Department of Biochemistry.

4. In 1973, I graduated from the Queen Elizabeth College, University of London (London, England) with a Bachelor of Science degree in Biochemistry. In 1976, I was awarded my

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PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jeffery J. Wheeler *et al.*

Application No.: 09/431,594

Filed: November 1, 1999

For: LIPID-NUCLEIC ACID
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HYDROPHOBIC LIPID-NUCLEIC
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Customer No.: 20350

Confirmation No. 8936

Examiner: Janet L. Epps

Art Unit: 1635

Declaration of Sean C. Semple, M.Sc.
Under 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

I, Sean C. Semple, M.Sc., state and declare as follows:

1. All statements herein made of my own knowledge are true, and statements made on information or belief are believed to be true and correct.
2. I am currently a Senior Scientist at Inex Pharmaceuticals Corporation (Burnaby, Canada), a biotechnology company whose primary focus is the development of cancer treatments that are based on its propriety drug delivery platform and that are more effective and have fewer side effects than conventional cancer treatments. I have been employed at Inex Pharmaceuticals Corporation since 1994. I have been a Senior Scientist at Inex Pharmaceuticals Corporation since 2001.
3. In 1991, I graduated from the University of British Columbia, with a Bachelor of Science, Honours degree in Biochemistry. In 1994, I was awarded my M. Sc. in Biochemistry and Molecular Biology from the University of British Columbia. My graduate studies were carried out under the direction of P.R. Cullis, a Professor in the Department of Biochemistry,

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Wheeler
6-3-05